Country Advice
Zimbabwe

Zimbabwe – ZWE35970 – Coalition
Government – Movement for Democratic
Change (MDC) – MDC Supporters –
Women – Sexual assault – Police – Asylum
seekers – Returnees

5 January 2010

1 What is the current status of the joint MDC-ZANU-PF coalition government?

Power Sharing Agreement

A ‘Global Political Agreement’ to institute a government of national unity was signed in September 2008. However, the MDC and Zanu-PF were unable to reach agreement on several issues including the distribution of portfolio ministries between the parties. Further information on power sharing arrangements of the coalition Government can be found in Research Response ZWE34457 from February 2009\(^1\) as well as a BBC article from September 2008\(^2\).

Current Status

In October 2009 The New York Times cited the announcement by MDC leader Morgan Tsvangirai that after a number of difficulties in working with Zanu-PF “he and his party would boycott cabinet meetings and withdraw from dealing with Mr. Mugabe’s party, in the biggest breach yet in the transitional government”:

> The catalyst for this step was the jailing Wednesday of Roy Bennett, Mr. Tsvangirai’s deputy agriculture minister-designate, a white farmer who is scheduled to stand trial Monday on three-year-old terrorism charges that his party, the Movement for Democratic Change, says are fabricated. But even after Mr. Bennett was granted bail on Friday after the news conference, officials in his party said their decision to disengage had not changed.

> “This is the time for us to say enough is enough,” said Thabitha Khumalo, a spokeswoman for the M.D.C\(^3\).

Africa Confidential adds that Tsvangirai’s walkout “appear[s] to have scored a palpable hit against President Robert Mugabe and his allies”. It cites that the walkout came in the lead up to Zanu-PF’s December congress which saw factional fighting with “Joice Mujuru and Emmerson Mnangagwa factions battling to succeed Mugabe”. The article goes on to discuss numerous problems in the power sharing agreement:

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\(^1\) RRT Research & Information 2009, Research Response ZWE34457, 13 February – Attachment 1
Tsvangirai points to a lengthy list of ZANU-PF’s blocking and delaying tactics. None of the issues highlighted by the Southern African Development Community (SADC) summit on Zimbabwe in January have been resolved: the row over ministerial duties and powers; the illegal appointments of Reserve Bank of Zimbabwe Governor Gideon Gono and Attorney General Johannes Tomana; and Mugabe’s failure to ratify the appointment of provincial governors; along with a lack of progress on constitutional reform, liberalisation of the media and a national audit of land holdings. Indeed, the two sides cannot even agree on the government’s title: the MDC rejects ZANU-PF’s appellation - Government of National Unity (GNU) - as grossly misleading. There are elements in ZANU-PF whose aim is to bring about the collapse of the power-sharing government by continually harassing and humiliating MDC MPs. The fear of such hardliners is that the MDC will get the political credit for the government’s limited economic successes and further undermine ZANU-PF. This time, the incarceration of Bennett appears to have backfired. By violating the spirit of the accord, the ZANU-PF hardliners want to bait the MDC into pulling out of the government...ZANU-PF drags its feet on all the political and economic reform proposals but pushes through appointments which suit it...Tsvangirai was given a perfectly plausible excuse for withholding MDC cooperation with ZANU-PF at ministerial level, without resigning from the government, until Bennett’s status and other outstanding issues were addressed...For now, ZANU-PF looks snookered by Tsvangirai’s move. If it expels the MDC from the power-sharing government, it will have to take responsibility for the breakdown. Botswana’s President Seretse Khama Ian Khama insists that a purely ZANU-PF government would have no support within the region, let alone internationally. On this point, few of his peers are likely to demur. Even Mugabe’s older comrades, such as Angolan President José Eduardo dos Santos, are tiring of the continuing crises in Zimbabwe and their negative effects on the region. For ZANU-PF to re-establish a modicum of political goodwill, it will have to make some credible concessions. MDC insiders hope that the outcome will be the long delayed appointment of some MDC provincial governors and some movement on the Reserve Bank issue. What emerges from the crisis is that, apart from faction leaders Mujuru and Mnangagwa, who themselves can hardly wait for him to go, Mugabe is surrounded by a team of political incompetents.4

A Guardian Unlimited article from 6 November 2009 refers to Tsvangirai announcing the suspension of his boycott. Tsvangirai reportedly said “[w]e will give President Robert Mugabe 30 days to implement the agreements on the pertinent issues we are concerned about”5.

An 11 December 2009 article on the MDC website claimed talks between the MDC and Zanu PF, essential for resolving problems with the power sharing agreement, were adjourned prior to a “full deal” being achieved due to Zanu-PF members having to attend their fifth party congress:

The Changing Times heard that the SADC facilitation team’s insistence that all issues pertaining to the GPA be resolved “this side of Christmas” is now a long shot because of the adjournment caused by Zanu PF and the renegade MDC formation led by Arthur Mutambara.

...The latest talks between the ruling MDC and the two other opposition parties co-opted into the inclusive government have broken up without a full deal although official sources say there is modest progress. The negotiations between the ruling MDC, Zanu PF and the other

5 Smith, D. 2009, ‘Zimbabwe back from brink as Morgan Tsvangirai calls off boycott’, Guardian Unlimited, 6 November – Attachment 5
breakaway MDC faction led by Professor Arthur Mutambara are seen as crucial to advancing Zimbabwean hopes of political and economic stability.6

The BBC reported on 13 December 2009 that during Zanu-PF’s congress President Mugabe had said that the Zimbabwe’s unity government had a short life span with the power sharing arrangement with MDC leader Morgan Tsvangirai having only another year to run. Mugabe urged his Zanu-PF party to “mend its divisions” and be ready for the next parliamentary elections, stating that his party was “ideologically incompatible” with the MDC. The BBC stated that the Zanu-PF’s congress had “focused on factionalism and claims that individual personalities are seeking to undermine the party for their own personal gain”:

Zimbabwean President Robert Mugabe has urged his Zanu-PF party supporters to be defiant, saying the party is still a strong force.

During a rally in Harare, he said the country’s unity government had a short life span and his own party must not lose the next parliamentary elections.

…A new date for national elections has not yet been set.

The party has been severely weakened after losing its parliamentary majority in elections held last year.

…Instead, Mr Mugabe had to accept a power-sharing deal with his former rival Morgan Tsvangirai, leader of the opposition Movement for Democratic Change (MDC). However that arrangement has only another year to run.

Speaking at the close of Zanu-PF’s fifth congress he said the party was ideologically incompatible with the MDC, and the party must mend its divisions to recover lost ground. He said: ""We go back much stronger, a better focused party, ready and raring to go to take on issues that confront us, even problematic ones."

He said the party had to work together, so they were "ready for elections" and "must not be defeated" like they were last year.

…He said that "any manoeuvres to tamper with the forces will never be entertained" by his party, Reuters reported7.

On 17 December 2009 the Zimbabwe Independent mentioned that most Zimbabweans saw things as improving under the current power sharing agreement compared with the “chaos and violence” of the last few years. The article also dismissed Mugabe’s hinting of early elections as merely political posturing. It refers to claims by analysts that the Zanu-PF is severely divided and not ready for elections which would be “suicidal” for the party:

Most Zimbabweans agree generally that things are getting better under the Global Political Agreement compared to the chaos and violence of 2008 and the years preceding it. Most hope the marriage continues until the economic situation stabilises and there is some guarantee that there is no repeat of the June 27 conditions when close to 200 MDC supporters were killed and thousands were injured and tortured.

But people are also aware that at some point the inclusive government will have to give way to a popularly elected government. According to the Global Political Agreement the government of national unity is supposed to last no more than 24 months but indications are that it is likely to last a full five-year lifespan.

“Let’s begin to work for the party and to organise it strongly. Elections are not very far off,” said Mugabe, adding that “the inclusive government was given a short life — 18 months, 24 months — and then it goes. The remaining part is very short. Perhaps it has outlived its life.”

Analysts say despite such statements, none of the three political leaders are ready for an election within the prescribed 24 months.

An early election, analysts say, would be suicidal for Zanu PF because Mugabe’s party may never regain absolute power after having lost its parliamentary majority, more so now when it is at its most divided on ethnic lines since Independence in 1980.

The Zimbabwe Telegraph reported on 18 December 2009 that Zanu-PF Second Secretary, former guerrilla Joice Mujuru, looks to be next in line to succeed Mugabe as the head of the party after she was endorsed for the position at the Zanu-PF congress.

2 Has the treatment of MDC members changed in 2009? Are members liable to arrest, detention or other harassment as a result of their activities?

Sources suggest MDC members were at risk of violence and harassment for their activities in 2009. There was less information on arrest and detention except for high profile arrests including that of Roy Bennett, the MDC’s deputy agriculture minister-designate.

SW Radio Africa reports on the December 2009 attacks on an MDC rally by Zanu-PF militias which resulted in several supporters being injured:

A truck carrying MDC supporters to a rally in Uzumba, Mashonaland East province, was attacked by stone throwing ZANU PF militias in the area on Sunday.

…Several MDC supporters were injured in the skirmish and one of them, Daniel Makaranga, had to be rushed to hospital for treatment following the unprovoked attack. At least two people were arrested.

The weekly MDC newsletter, The Changing Times, said their supporters were travelling in an open truck when it was ambushed at Katiyo shopping centre.

The mob pelted the T-35 truck with stones, injuring the passengers who were on their way to Nhakiwa Business Centre where they were going to an MDC rally,’ the newsletter said.

…The attack was reportedly engineered by a ZANU PF youth chairman for Uzumba district, identified as Mbizi. He's reportedly in charge of five bases in Uzumba, namely at Katiyo, Mashambanhaka, Mtawatawa, Nhakiwa and Rukariro.

The *Zimbabwe Telegraph* cites the attempted abduction of the MDC’s Security administrator by unidentified assailants in October 2009.\(^{11}\)

*The Zimbabwe Standard* states in October 2009 that “[w]ar veterans and Zanu PF militants have intensified attacks against MDC-T supporters in the rural areas following the party’s disengagement from dealing with Zanu PF ministers in the inclusive government”:

War veterans and Zanu PF militants have intensified attacks against MDC-T supporters in the rural areas following the party’s disengagement from dealing with Zanu PF ministers in the inclusive government, the party has said. The MDC-T said Zanu PF militias were holding political meetings where they branded MDC-T supporters “enemies of the state” who must be crushed because they had severed links with government.

…MDC-T secretary for social welfare Kerry Kay expressed concern over the new wave of attacks against the party’s activists and supporters. She said Zanu PF has “re-activated” its terror squads and camps in the rural areas, blamed for murder, rape, plunder and general violence in last June’s election.

“What they are doing is shocking,” Kay said. “They are attacking our supporters on the basis that we withdrew from the unity government, which is not true. I fear this could degenerate into chaos to the levels of last year.” \(^{12}\)

A 28 October 2009 article also indicates that “[v]iolence and intimidation against members of the Movement for Democratic Change (MDC) increased sharply within days of the party ‘disengaging’ from Zimbabwe’s unity government, MDC spokesman Luke Tamborinyoka told IRIN.” The article continues:

“We have received reports of our supporters being beaten up and having their homes set on fire, allegedly by ZANU-PF supporters led by war veterans and members of the army,” Tamborinyoka said. President Robert Mugabe is the leader of ZANU-PF, the other wing of the unity government formed in February 2009.

…Violence has erupted in Mashonaland Central Province, once a ZANU-PF stronghold in the north of the country. “The violence has intensified in rural areas … Also affected are close to 100 teachers who have fled from the province,” Tamborinyoka said.

…At the weekend, heavily armed police and soldiers raided a house used by MDC officials and accused the group of stealing weapons from army barracks in Harare. Tamborinyoka said recent events showed all the hallmarks of a crackdown on the MDC and its supporters. “Recently, a brigadier-general pointed a gun at one of our members of parliament and threatened to shoot him”. \(^{13}\)

A 20 October 2009 article from SW Radio Africa refers to an MDC member being “severely assaulted and left for dead, by a group of ZANU PF militias in Makoni South, Manicaland province”. The MDC MP for Makoni South, Pishai Muchauraya said that “while the attack


\(^{13}\) ‘Violence Spikes After MDC’s Withdrawal From Government’ 2009, *All Africa*, source: UN Integrated Regional Information Networks, 28 October – Attachment 13
might have been an isolated incident, there are fears militias were regrouping to try to enforce the ZANU PF favoured, Kariba draft constitutional document”.  

Several RRT research responses provide information on the treatment of MDC supporters.  

3 Do the police investigate complaints of sexual assault or rape?

The US Department of State reported in 2008 that rape is a crime in Zimbabwe including between married couples. Police acted on non-politically related rape cases and the government media frequently published stories denouncing rape and reporting convictions. Penalties for sexual crimes ranged up to life in prison. However, an NGO reporting at least 50 women being raped in the lead up to the June 2008 run-off election.  

US based international AIDS advocacy group ‘AIDS-Free World’ published a report based on 70 sworn affidavits of survivors and witnesses which alleges systematic rape campaigns led by Zanu-PF against MDC supporters in 2008. The report suggests the rape campaign was widespread with recurring patterns - including the consistent refusal by police to investigate the attacks, as well as a lack of legal action by NGOs to address the rapes:  

… AIDS-Free World’s investigation of the rape surrounding the 2008 elections in Zimbabwe reveals two stark facts: it was a widespread, systematic campaign against MDC female members and supporters calculated to intimidate, humiliate, and punish them—and by extension, their families—for their political affiliation; and the patterns and similarities that emerge from survivors’ stories show that history in Zimbabwe is repeating itself. Once again, the impunity for systematic rape that has characterized Zimbabwe’s history under Robert Mugabe’s leadership is making it possible for the police not to investigate, for the prosecutors not to prosecute, and for Zimbabwe’s neighbors to pretend these crimes against humanity are the internal affairs of a sovereign state.  

… International human rights organizations have long protested the failings of the Zimbabwe police force, and a 2008 human rights organization’s report on the election violence in the country stated, “The police have not done anything to intervene in such situations, as they are clearly aligned to ZANU-PF.”  

… Testimony given to AIDS-Free World further supports claims that the Zimbabwe police force helped to ensure impunity for the rapes. In every instance, the Zimbabwe police failed to adequately respond to the crimes. Of the thirty-one women who attempted to report their rapes to the police, thirteen said that the police either did nothing at all or explicitly refused to write a report. Another five reported that the police took a report but did not investigate the crime in any way. The effect of this is severe for the victims: without a police report they are denied treatment at government hospitals; without a medical report from a government hospital as proof of rape, a criminal prosecution is impossible. By refusing to document these crimes, the

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15 RRT Research & Information 2009, Research Response ZWE35578, 14 October, Question 3 – Attachment 15  
16 RRT Research & Information 2009, Research Response ZWE35535, 8 October, Questions 1 & 2 – Attachment 16  
17 RRT Research & Information 2009, Research Response ZWE35590, 10 November, Question 1 – Attachment 17  
police eliminated any possibility of criminal accountability for the ZANU-PF perpetrators in Zimbabwe courts.

… Authorities told two women that they could report their beatings but not their rapes. One woman explained, “In that office the Crime Officer threatened me never to talk about rape. The Crime Officer told me I was only allowed to report assault, and by reporting rape I would be going against the government.” In Manicaland, police arrested one woman after she was raped and held her for four nights on fabricated charges. Other police officers simply claimed they could not get involved in “political matters.” A woman from Harare told AIDS-Free World, “We told the police we were raped by ZANU-PF men. The police said they were not going to interfere with political issues”.

… Not one of the 241 rapists has been prosecuted or punished for their crimes. Out of the seventy women interviewed by AIDS-Free World, there were only two cases where a perpetrator was arrested, and in neither case was anyone prosecuted. One was held for only one week.

…Thirty-two of the women (46%) did not even attempt to report their rapes to the police. These women, from nine different provinces, all testified that it would have been futile and possibly dangerous to report anything because ZANU-PF controlled the police. 19

Human Rights Watch adds in its 2009 World Report20 that the police were even among the perpetrators of violence in the period leading up to the June 2008 run-off election. Amnesty International reported that rape and other sexual violence had also been perpetrated by state-sponsored militia, both in the run up to, and after the March 2002 elections21.

4 What is the regime’s attitude towards failed asylum seekers from Australia or other Western countries?

A ZWNews August 2009 article cites a call by Tsvangirai to Zimbabweans who have fled the country to return and be part of the rebuilding effort22. Subsequently, in October 2009, SW Radio Africa states that a UK based Zimbabwean asylum seeker charity had claimed that “some Zimbabweans who have voluntarily returned to the country this year have ‘regretted their decisions’, which came after Prime Minister Morgan Tsvangirai earlier this year appealed for Zimbabweans to return home”:

   Harland explained that one teacher who recently returned is now “lying low for fear of victimization”, after the teacher was harassed, victimised and punished upon returning to Zimbabwe, “merely for being away in the UK.” Harland also explained that one returnee from South Africa, Edwin Chingami, was murdered in August by ZANU PF youths, shortly after his return from the UK, “for being a ‘sell-out’”.23

Another article by BBC News in October 2005 cites claims by lawyers for Zimbabwean asylum seekers in Britain that “Zimbabweans deported home are regarded as traitors or spies

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21 Amnesty International 2002, ‘State-Sponsored Militia are Continuing to Carry out Assaults’, 5 April, AFR 46/032/2002 – Attachment 21
by Robert Mugabe’s government”. However, the British Home Office argued that while returnees were subject to “in-depth questioning” by Zimbabwe’s Central Intelligence Organisation, they were not at “real risk of persecution”. The article states that Zimbabwean authorities took a particular interest in those returning from Britain due the perception that the Blair Government was leading the international campaign for “regime change” in Zimbabwe:

Authorities believe returning asylum seekers are being deliberately sent back as "agents of regime change," the Asylum and Immigration Tribunal heard.

…The Home Office has rejected claims that returnees were subjected to abuse - but it suspended removals in July after Mr Justice Collins in the High Court said there was an "arguable" case that asylum seekers were at risk of ill treatment.

…Launching the test case, Mark Henderson of the Refugee Legal Centre told the tribunal that Home Secretary Charles Clarke had conceded that the deportees were being handed over to Zimbabwean authorities on arrival in Harare.

…Steven Kovats, Home Office lawyer…said investigations had shown that returning asylum seekers were being subjected to “in-depth questioning” by the Central Intelligence Organisation (CIO) Zimbabwe's secret police.

"That is in any ordinary words interrogation,” Mr Henderson told the hearing.

…"Anyone who sought asylum in Britain will, at least, be at real risk of ill treatment. Mugabe believes they [the British Government] are leading an international campaign to effect regime change."

Mr Henderson said that the CIO had taken "particular interest" in flights from the UK - and a "malevolent interest" in returning asylum seekers. Some of these were regarded as "Blair's spies" or "agents of regime change", he told the tribunal.

…”The Secretary of State concludes that on the totality of evidence of the field reports that failed asylum seekers as a class are not at real risk of treatment contrary to the European Convention on Human Rights, nor are they at real risk of persecution,” said Mr Kovats.24

In 2008, the advocacy NGO ‘Refugees International’ called on neighboring countries not to forcibly return Zimbabweans fleeing their country, claiming that “forced repatriation to Zimbabwe in the current climate could endanger the safety of all Zimbabweans living abroad”.25

However, a DFAT report from 2007 saw no particular threat to returnees from Western countries whose governments were critical of Zimbabwe. Adverse attention from authorities was mainly due to perceived activism in the MDC rather than the country they were returning from:

We are not aware of difficulties by Zimbabweans returning from study from overseas in countries critical of the Government of Zimbabwe (GOZ) such as Australia, the United States, Canada and the United Kingdom. We have seen no evidence that the simple fact of studying in those countries would attract punitive action by the GOZ. Officers of the Central Intelligence Organisation (CIO) have been working under cover for some time as Immigration Officers at Harare International Airport. If an individual student was active in organisations subject to harassment by the GOZ,

24 ‘Zimbabwe returnees regarded spies’ 2005, BBC News, 6 October
such as the Movement for Change (MDC), trade unions or civil society organisations, it is possible that she might be identified on arrival at Harare Airport. If so, any punitive measures taken against her by the GOZ would be the result of such activism, not of simply having studied in Australia.  

List of Attachments


2. ‘Zimbabwe deal: Key points’ 2008, BBC News, 15 September


4. ‘Tsvangirai’s walkout puts Mugabe on the backfoot’ 2009, Africa Confidential, vol. 50, no. 21, 23 October

5. Smith, D. 2009, ‘Zimbabwe back from brink as Morgan Tsvangirai calls off boycott’, Guardian Unlimited, 6 November. (FACTIVA)


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15. RRT Research & Information 2009, Research Response ZWE35578, 14 October, Question 3.

16. RRT Research & Information 2009, Research Response ZWE35535, 8 October, Questions 1 & 2.

17. RRT Research & Information 2009, Research Response ZWE35590, 10 November, Question 1.


